



Atty Dkt. No.: CELL-017

USSN: 09/814,357

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Typed or Printed Name Susan M. Alessi

Signature

Susan M. Alessi

Date

July 1, 2002

RESTRICTION ELECTION

Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Attorney Docket

CELL-017

First Named Inventor

YU et al.

Application Number

09/814.357

Filing Date

March 21, 2001

Group Art Unit

1635

Examiner Name

Whiteman, Brian A.

Title: METHODS OF TREATING NEOPLASIA WITH
COMBINATION OF TARGET CELL-SPECIFIC...

RECEIVED

JUL 11 2002

TECH CENTER 1600/2900

Sir:

The election is made in response to the Restriction Requirement mailed May 31, 2002, which set a one-month period for response, making this amendment due on or before July 1, 2002. Accordingly, this response is timely filed.

Applicants elect for prosecution the invention of Group 1, claims 1-51 and 55-58.

For the species elections, Applicants elect as follows. For the anti-neoplastic agent, Applicants elect alkaloids, as set forth in Claim 3. Claims that read on the elected species are 1-3, 11-26, 28-29, 31-35, 37-46, and 55-58. For the adenoviral gene essential for replication, Applicants elect early genes. Claims that read on the elected species are 1-18, 20-51 and 55-58. For the method of radiation therapy, Applicants elect external radiation. Claims that read on the elected species are 47-49 and 51. For the cell specific TRE, Applicants elect the prostate-specific antigen (PSA) TRE, and for a cell type, prostate cells. Claims that read on the elected species are 1-12, 14, 18-28, 41, 43, 47-51 and 55-58.

The Examiner has questioned the identification of the sequence referred to in Claim 32. In Applicants preliminary amendment of October 26, 2001, the sequence was identified as corresponding to SEQ ID NO:8.

Applicants submit that all of the claims are now in condition for allowance, which action is requested. If the Examiner finds that a Telephone Conference would expedite the prosecution of this application, he is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any other fees under 37 C.F.R. §§ 1.16 and 1.17

which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number CELL-017.

Atty Dkt. No.: CELL-017
USSN: 09/814,357

Respectfully submitted,

Date: July 1, 2002

By: Pamela J. Sherwood
Pamela J. Sherwood, Ph.D.
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1633

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Application Number 09/814,357

Filing Date March 21, 2001

First Named Inventor YU, DE-CHAO

Group Art Unit 1633

Examiner Name

Total Number of Pages in This Submission 3

Attorney Docket Number CELL-017

ENCLOSURES (check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual Name

PAMELA J. SHERWOOD, Reg. No. 36,677

Signature

Pamela Sherwood

Date

July 1, 2002

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Typed or printed name Susan M. Alessi

Signature *Susan M. Alessi*

Date July 1, 2002

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